

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jerry W. Malcolm
Cornell G. Wright Jr.

Serial No.: 10/756,129

Filed: 01/13/2004

For: CREATING NETWORK STORAGE
SPACE BASED ON TELEPHONE CALL
INFORMATION

Group Art Unit: 2155

Examiner: Barot Bharat

Conf. No.: 3162

Atty. Dkt.: AUS920031036US1
2300.001400

CUSTOMER NO.: 46240

RESPONSE TO OFFICE ACTION DATED JULY 9, 2008

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Office Action mailed July 9, 2008, for which the shortened three-month statutory response date is October 9, 2008. This response is being filed on or before the due date, therefore, it is timely filed.

If an extension of time is required to enable this paper to be timely filed and there is no separate Petition for Extension of Time filed herewith, this paper is to be construed as also constituting a Petition for Extension of Time Under 37 CFR § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

No fee is believed due as a result of the response contained herein. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized

to deduct said fees from IBM Corporation's PTO Deposit Account No. 09-0447/AUS920031036US1.¹

¹ In the event the funds in that account are insufficient, the Commissioner is authorized to deduct any said fees from Williams, Morgan & Amerson P.C.'s PTO Account No. 50-0786/2300.001400.

INTERVIEW SUMMARY

On October 7, 2008, the Examiner and the undersigned conducted a telephone interview with respect to this case. The claims and the cited references were generally discussed. No agreement was reached.